

September 5, 2024

IN THE UNITED STATES DISTRICT  
COURT FOR THE DISTRICT OF NEW  
JERSEY MARTIN LUTHER KING  
BUILDING AND U.S. COURTHOUSE

**Mark Appelgren, Pro Se**  
3718 Columbia Pike, Apt. 2  
Arlington, VA 22204

Complainant/Plaintiff

v.

**City of Fort Lee, New Jersey**  
Fort Lee Borough Hall  
309 Main St.  
Fort Lee, New Jersey 07024

and

**Fort Lee Police Department, New Jersey,**  
1327 16th St.  
Fort Lee, New Jersey, 07024

and

**Fort Lee Police Department, New Jersey,**  
**Fort Lee Officers JOHN DOES 1-10,**  
1327 16th St.  
Fort Lee, New Jersey 07024

Defendants

Case No.:

2:24 – CV – 08013 –  
MCA – MAH

Date Formal Filed:

09/05/2024

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Plaintiff's Motion for Adjournment and Issuance of Amended Summons

Honorable Magistrate Judge Michael A. Hammer:

Plaintiff, Mark Appelgren, respectfully submits this motion in response to the Court's recent order terminating the motion to stay proceedings [Docket No. 9]. I would like to begin by clarifying that it was my intention to request an adjournment rather than a stay, and I apologize for any confusion this may have caused.

1. Motion for Adjournment

The plaintiff requests an adjournment, not a stay, to inform the Court that an Amended Complaint has been filed, and the plaintiff has taken immediate steps to request an amended summons to serve on the

defendants. I formally made this request to the Clerk of Courts and informed the courts over the weekend about the need for the amended summons to be issued promptly. This action will allow the Amended Complaint and Amended Summons to be served on the defendants and their counsel without further delay.

2. Issuance of Amended Summons

The plaintiff respectfully requests the Court's assistance in issuing the Amended Summons at the earliest opportunity to facilitate service upon the defendants. As a courtesy, I have attached a completed first amended summons for this matter, aiming to expedite the process.

3. Clarification of Motion Intent

The plaintiff's initial request, erroneously filed as a motion to stay, was meant to inform the Court and the defendants that upon issuance of the Amended Summons, the plaintiff will immediately serve the amended documents on the defendants and their counsel. This was intended as a courtesy to give all parties ample time to review the Amended Complaint and to respond accordingly.

4. Preemptive Courtesies

Although the defendants have not yet responded to the initial complaint, the plaintiff is taking proactive steps to ensure that the amended documents are served as soon as possible. In light of this, the plaintiff requests that the Court allow sufficient time for the defendants, their counsel, and the Court itself to review these matters comprehensively. The plaintiff stands ready to discuss and explore potential settlement options with the defendants and their attorneys.

5. Commitment to Litigation and Settlement Discussions

While the plaintiff remains open to discussions and settlement negotiations, the plaintiff is also prepared to proceed to trial on the merits of this case, should the defendants choose not to settle. The plaintiff emphasizes that any resolution should be based on the substantive merits of the case, not on technicalities.

The plaintiff can always be reached by phone or email to discuss any settlement offers or related matters with the defendants and their counsel. However, if a settlement is not feasible, the plaintiff is fully prepared to litigate this matter before the Court.

Conclusion

In conclusion, the plaintiff respectfully requests the following relief:

1. That the Court recognize this motion as a request for adjournment, not a stay, in light of the amended filings.
2. That the Court issue the Amended Summons to be served on the defendants.
3. That the Court allow sufficient time for the defendants to respond to the amended complaint.

The plaintiff looks forward to a fair resolution of this matter, whether through settlement or trial.

DATED: September 5, 2024

Respectfully submitted,

/s/ Mark Appelgren

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#### Certificate of Service

I, Mark Appelgren, hereby certify that a true and correct copy of the foregoing Motion was provided to Defendants' Counsel of Record on this 5<sup>th</sup> day of September 2024, via certified mail and Transmission of Notices of Electronic filing granted by CM/ECF. Additionally, a copy of this Motion to the Court was filed via electronic mail [ecfhelp@njd.uscourts.gov](mailto:ecfhelp@njd.uscourts.gov).

Dated: September 5, 2024

A handwritten signature in blue ink, appearing to read "Mark Appelgren", written over a horizontal line.

Mark Appelgren

Plaintiff, Pro Se

CC: Counsel of Record